

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

UNITED STATES OF AMERICA	)	
	)	
v.	)	
	)	CR. NO. 2:07-cr-280-MHT
TIMOTHY GRANT JONES,	)	
a.k.a. "Timothy G. Jones,"	)	
a.k.a. "Tim Jones"	)	

UNOPPOSED MOTION TO CONTINUE TRIAL

Comes now the United States of America, by and through its United States Attorney, Leura G. Canary, and moves this court to continue the trial in the above-styled case as to Defendant Timothy Grant Jones, and as grounds therefore says as follows:

1. Defendant Timothy Grant Jones is currently set for trial on September 22, 2008.
2. On June 4, 2008, Defendant filed an Unopposed Motion to Continue Trial asserting that United States Magistrate Judge Wallace Capel called Defendant's competency into question in open court on April 28, 2008. (Doc. # 31, ¶ 5.) Defendant further asserted that arrangements were being completed for his evaluation by Clinical Psychologist Dr. Catherine Boyer. (Doc. # 31, ¶ 6.)
3. On August 21, 2008, Defendant submitted a neuropsychological evaluation prepared by Dr. Stephen Bailey to the undersigned Assistant United States Attorney. The report indicates that Defendant suffers from dementia and Dr. Bailey opines that Defendant was not fully capable of appreciating the full weight of his decisions.
4. On today, Defendant submitted an addendum for Dr. Bailey's report to the undersigned Assistant United States Attorney wherein Dr. Bailey opines that Defendant was not fully competent at the time of his crimes. Dr. Bailey further

opines that Defendant “probably” will not be able to assist defense counsel in his defense. As a result, on today, the United States filed a Motion for Mental Competency Examination. (Doc. # 36.) Because the requested competency examination cannot be completed by the September 22, 2008, trial date and Defendant’s competency to stand trial remains unresolved, the United States seeks a continuance of the September 22, 2008, trial date.

5. The United States has consulted with defense counsel and there is no opposition to this motion.

Wherefore, the above premises considered, in the interest of judicial economy, the United States respectfully requests the Court to continue the trial in the above-styled matter to January 5, 2009.

Respectfully submitted this 3<sup>rd</sup> day of September, 2008.

LEURA G. CANARY  
UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

I hereby certify that on September 3, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:  
  
Michael Petersen.

Respectfully submitted,

LEURA G. CANARY  
UNITED STATES ATTORNEY

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